IV. REMARKS

1. Claims 22-27 remain in the application. Claim 22 has been amended. The amendments to the claims are not limiting, are not made for reasons related to patentability, and do not raise issues of estoppel.

2. Applicants respectfully submit that claims 22, 23, and 25 are not anticipated by Mangold et al. (US 5,926,232, "Mangold") under 35 USC 102(e).

Mangold fails to disclose or suggest means for monitoring at least one parameter indicative of a property of a radio frequency communication signal received at a mobile terminal, as recited by claims 22 and 25.

Mangold relates to a method for optimizing the transmission of signals, especially video signals, over a channel with a predetermined channel data rate, after source coding and channel encoding. Redundancy is added to the source-encoded signals for error control protection and **at least one quality parameter of the transmitted and decoded signals is measured**. As a function of the measured quality parameter, the relationship between the source accuracy of the source encoding and the added redundancy is changed in opposite directions in order to optimize the transmission (see abstract).

More specifically, and as explained in column 3, Mangold presents a system that comprises a transmitting terminal and a receiving terminal (see Figure 1). The transmitting terminal includes a video encoder that comprises a source encoder (3) that is arranged to produce parameter sets Q1 and Q2

representative of a digital video signal (column 3, lines 27 to 31). The transmitting terminal further includes partial channel encoders K1 and K2 which are arranged to add specific redundancies to the parameter sets so that errors which occur during transmission can be detected and possibly corrected (column 3, lines 31 to 34), as well as a multiplexer (5) that is arranged to combine the signals.

In the receiving terminal a demultiplexer (6) separates the transmitted signals and provides them to channel decoders DK1 and DK2, from which the channel-decoded signals are sent to source decoders S1 and S2 and the decoded signal is made available at an output (9) (column 3, lines 38 to 42). The channel decoders DK1 and DK2 also generate signals QP1 and QP2 which are quality parameters that describe the quality of the transmitted and channel-decoded signals (column 3, lines 43 to 45). The quality parameters QP1 and QP2 are transmitted back to the transmitting terminal (column 3, lines 47 to 52) where they are used to determine the most favorable paring between the output data rate of the source encoder and the added redundancies (column 3, lines 53 to 62).

Considering the independent claims of the present application as currently amended, claim 22 relates to a mobile terminal comprising control means for controlling the encoding of a digital video signal, said digital video signal being encoded by a video encoder and transmitted as a radio frequency communication signal by a second radio communication device to said mobile terminal, said control means comprising means for monitoring at least one parameter indicative of a property of the radio frequency communication signal received at the mobile terminal and means for forming a feedback signal responsive to

said at least one monitored parameter for controlling at least one encoding parameter of the video encoder.

Similarly, independent claim 25 relates to a mobile terminal comprising control means for controlling the encoding of a digital video signal, said digital video signal being encoded by a video encoder and transmitted as a radio frequency communication signal by said mobile terminal, said radio frequency communication signal being received by a second radio communication device, said control means comprising means for monitoring at least one parameter indicative of a property of the radio frequency communication signal transmitted from the mobile terminal and means for forming a feedback signal responsive to said at least one monitored parameter indicative of a property for controlling at least one encoding parameter of the video encoder.

Thus, both independent claims include "means for monitoring at least one parameter indicative of a property of a **radio frequency communication signal**". It should be appreciated that monitoring at least one parameter indicative of a property of a radio frequency communication signal is not the same as, nor can it be considered in any way equivalent to, monitoring "at least one quality parameter of the transmitted **and decoded signals**" as taught by Mangold.

In greater detail, a mobile terminal implemented according to the present invention operates by monitoring parameters relating to the received/transmitted radio frequency communication signal **itself** rather than a (data) signal decoded from the radio frequency communication signal, as described by Mangold. According to the present invention, the monitored parameter can

be, but is not limited to, a measure of received signal strength (p.8. lines 17 to 19 of the present US application text as filed), a received signal quality measure (p.8, lines 17 to 19), for example a signal to interference ratio, a transmitted signal power, or a request to increase the transmitted signal power (p.11, lines 18 to 29).

In contrast, Mangold's quality parameters (QP1, QP2) are derived from a received **and decoded** signal (column 3, lines 43 to 45) i.e. this means that, according to Mangold, a measurement of signal quality is made only once the signal has been transmitted, subsequently received and decoded. Mangold provides no teaching or suggestion that the measurement is performed on the radio frequency signal itself in order to characterize a property of that signal.

It should further be noted, that according to the present invention, monitoring of at least one parameter indicative of a property of the radio frequency communication signal is not necessarily limited to a received signal, but may also be applied to transmitted signal (as claimed in claim 25). This characteristic of the present invention is clear from the description relating to the operation of the method in the up-link direction of a GSM mobile communication system (See page 11, line 9 through page 12, line 3) **and is a function that cannot be realized in the system described by Mangold** since Mangold's quality parameters are obtained from channel-decoded signals available at the receiver.

For at least these reasons, Applicants respectfully submit that Mangold fails to anticipate independent claims 22 and 25 and dependent clams 23, 24, 26, and 27 under 35 U.S.C. 102(e) and

respectfully requests the Examiner to reconsider the claims in the light of the remarks presented above.

3. Applicants respectfully submit that claims 24, 26, and 27 are patentable over the combination of Mangold in view of well known prior art under 35 USC 103(a).

Claims 24, 26, and 27 depend from claims 22 or 25.

The combination of Mangold and the prior art fails to disclose or suggest means for monitoring at least one parameter indicative of a property of a radio frequency communication signal received at a mobile terminal, as recited by claims 22 and 25. There is nothing in Mangold or in the prior art that makes this feature known.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of $1,020.00 is enclosed for a three (3) month extension of time.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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